

Introduced by Senator McClintock

February 18, 2005

An act to amend Section 40000.11 of, and to repeal and add Section 14610.1 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 508, as introduced, McClintock. Vehicles: driver's license: forgery: manufacture: sale.

(1) Existing law makes it a misdemeanor for a person to manufacture or sell an identification document of a size and form that is substantially similar to the driver's licenses issued by the Department of Motor Vehicles.

This bill, instead, would make it a felony, punishable by certain fines, terms of imprisonment in the state prison, or both the fines and imprisonment, for a person to sell an identification document of a size and form that is substantially similar to the driver's licenses issued by the department. The bill thereby would impose a state-mandated local program by creating a new felony.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 14610.1 of the Vehicle Code is repealed.

~~14610.1. (a) No person shall manufacture or sell an identification document of a size and form substantially similar to the drivers' licenses issued by the department.~~

~~(b) A violation of this section is a misdemeanor punishable by a fine of not less than five hundred dollars (\$500).~~

SEC. 2. Section 14610.1 is added to the Vehicle Code, to read:

14610.1. (a) A person who manufactures an identification document of a size and form substantially similar to the driver's licenses issued by the department is guilty of a misdemeanor, punishable by a fine of not less than five hundred dollars (\$500).

(b) A person who sells an identification document of a size and form substantially similar to the drivers' licenses issued by the department is guilty of a felony, punishable by imprisonment in the state prison for two, three, or four years, or by a fine of not more than ten thousand dollars (\$10,000), or by both that fine and imprisonment.

SEC. 3. Section 40000.11 of the Vehicle Code is amended to read:

40000.11. A violation of any of the following provisions is a misdemeanor, and not an infraction:

(a) Division 5 (commencing with Section 11100), relating to occupational licensing and business regulations.

(b) Section 12500, subdivision (a), relating to unlicensed drivers.

(c) Section 12515, subdivision (b), relating to persons under 21 years of age driving, and the employment of those persons to drive, vehicles engaged in interstate commerce or transporting hazardous substances or wastes.

(d) Section 12517, relating to a special driver's certificate to operate a schoolbus or school pupil activity bus.

(e) Section 12519, subdivision (a), relating to a special driver's certificate to operate a farm labor vehicle.

(f) Section 12520, relating to a special driver's certificate to operate a tow truck.

1 (g) Section 12804, subdivision (d), relating to medical
2 certificates.

3 (h) Section 12951, subdivision (b), relating to refusal to
4 display license.

5 (i) Section 13004, relating to unlawful use of an identification
6 card.

7 (j) Section 13004.1, relating to identification documents.

8 (k) Sections 14601, 14601.1, 14601.2, and 14601.5, relating to
9 driving with a suspended or revoked driver's license.

10 (l) Section 14604, relating to unlawful use of a vehicle.

11 (m) Section 14610, relating to unlawful use of a driver's
12 license.

13 (n) *Subdivision (a) of* Section 14610.1, relating to
14 identification documents.

15 (o) Section 15501, relating to use of false or fraudulent license
16 by a minor.

17 SEC. 4. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district will be incurred because this act creates a new crime or
21 infraction, eliminates a crime or infraction, or changes the
22 penalty for a crime or infraction, within the meaning of Section
23 17556 of the Government Code, or changes the definition of a
24 crime within the meaning of Section 6 of Article XIII B of the
25 California Constitution.